

President Bush's "Healthy Forest Initiative"

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Introduction

The summers of 2001 and 2002 were marked by some of the most prolific forest fires in a century. In response, the government proposed a list of amendments and acts to alter current forest policy. This call for change is led by President Bush's 'Healthy Forests: An Initiative for Wildfire Prevention and Stronger Communities', otherwise known as The Healthy Forest Initiative (HFI). Accompanying bills that have been proposed by various Western senators include; H.R. 5214, "The National Forest Fire Prevention Act", H.R. 5309, "The Wildfire Prevention and Forest Health Protection Act of 2002", H.R. 5319 "The Healthy Forests Reforms Act of 2002", and H.R.5376, "The Reduce Wildfire Risk Act of 2002". In the Senate, S. 2670, "The Wildfire Prevention Act of 2002" was presented.

This collection of legislation illustrates ongoing trends in the Bush Administration's approach to environmental policy. The administration continues to place economic interests over environmental concerns and seeks to eliminate public voices from the decision making process. The HFI and the accompanying legislation are biased responses to historical forest mismanagement that will bring short-term economic benefits to the timber industry, at the expense of long-term sustainability of public forests.

In this paper I will analyze the advantages and disadvantages of the preceding bills, considering an expedited appeals process under the National Environmental Policy Act (NEPA), and the various proposals for the location tree thinning projects. I will look at the stockholders who have influenced the shaping of these propositions and

their motives, including; academics, private citizens, industry spokespeople, and politicians. Throughout the paper I will look at conflicting scientific viewpoints of forest management, and how this research should shape future forest management.

Overview of the Healthy Forest Initiative

The Healthy Forest Initiative can be broken in to four sections. The first section seeks to exempt "hazardous fuels reduction" projects on our nation's federal lands from NEPA. It would expedite implementation of fuels reduction projects. The highest priority will be given to wildland urban interface areas and areas susceptible to catastrophic reburn.

In the second section the Secretaries of Interior and Agriculture are given authority to approve logging proposals without environmental analysis or public input. This would authorize agencies to enter into long-term stewardship contracts with the private sector, non-profit organizations, and local communities. Stewardship contracts allow contractors to keep forest products and other vegetative material in exchange for the service of thinning trees and brush and removing dead wood.

The third section focuses on the participation of the public in the decision making process. It would exempt the projects that the Secretaries of Interior and Agriculture select from administrative appeals and limit actions that can be taken to the courts. Pre-decisional public notice and comment would be utilized rather than post-decision appeals.

The final section would address standards of relief for activities necessary to restore fire-adapted forest. "This section is designed to ensure that judges consider long-term risks of harm to people, property and the environment in challenges based on short-term risks of forest health projects," (Veneman and Norton 2002).

Analysis of Tree Thinning Techniques

Today, the forests and rangelands of the West have become unnaturally dense, and ecosystem health has suffered significantly (HFI). Nearly everyone recognizes that clearing, in some form, is necessary: "Inaction is now the greatest threat to the long-term sustainability of these western ecosystems" (Covington 2002). Tree thinning and removal of dense underbrush can ensure thriving forests while reducing risks of catastrophic fires and the dangers they pose to firefighters (HFI).

However, opinions on the location and level of clearing differ. Robert Shaffer, a forestry professor at the Virginia Polytechnic Institute said, "There are many different types of logging, the question is, how much is enough?" Some propose clearing only small trees and brush; others feel that for the work to be viable for lumber companies, a portion of larger trees should be included in the stewardship contracts. The timber companies would have the freedom to clear-cut our forests while we foot the bill. Whether or not the timber industry should benefit (and benefit at the cost of the environment) from helping with tree thinning is hotly contested. Should the focus be on areas located near human development or on the entire forest? Fire prevention resources are thin and need to be used efficiently and effectively.

Control of the national forests has shifted in the Bush Administration as a result of resource extractive industries contributing millions of dollars to his campaign (Forest Advocate 2000). Princeton economist Paul Krugman wrote "'Healthy Forests' isn't just about scrapping environmental protection; it's also about expanding corporate welfare" (Krugman 2002). The Forest Service has become a prop for the timber industry. The governmental subsidies and road building projects for the timber and other extractive industries, have run the Forest Service budget into the red. Continuing the revolving door between industry and government, President Bush's political appointees are

sympathetic with industry economic desires, include former timber industry lobbyist Mark Ray and Interior Secretary Gale Norton.

Mark Ray was named Under Secretary for Natural Resources and the Environment. This position puts him in control of 155 national forests. Interior Secretary Gale Norton, often called the nations landlord, oversees 436 million acres of land—approximately 19 percent of the country's terrain. According to environmentalists, a worse choice for the job could not have been made. Norton spent the first four years of her career at James Watt's Mountain States Legal Foundation. Watt, a former Interior Secretary portrayed environmentalists as "Bolsheviks" (Outside 2001). As a result of these appointees, our forests are becoming cash crops for the nation's timber barons.

In April 1999, the General Accounting Office issued a report that raised numerous questions about the use of timber sales as a tool for fire management. It noted: "Most of the trees that need to be removed to reduce accumulated fuels are small in diameter." These are the same trees that have little or no commercial value. In a report by the Congressional Research Service (2002) it was found that timber harvesting removes the relatively large diameter wood that can be converted into wood products, but leaves behind the small material, especially twigs and needles. The concentration of these "fine fuels" on the forest floor increases the rate of spread of wildfires. A positive correlation exists between acres burned and the volume of related timber harvest (CRS).

In an op-ed to the Billings Gazette, retired Forest Service official Joe Gutkoski described the President's plan for thinning forests as "counterproductive". Gutkoski stressed that the bulk of the efforts should be placed at the Wild Urban Interface (WUI). The WUI consists of forested regions bordering cities and homes. By clearing out the brush and saplings around these communities adjacent to forests, you can prevent

commercial logging exploitation in the back acres of our national forests. In addition allowing small wildfires to burn in the backcountry will result in fewer huge conflagrations: "Fire belongs on landscapes" (Pyne 2001)

The administration has said that it plans to discontinue so-called "survey and manage" requirements imposed by the Northwest Forest Plan, as part of a proposed settlement of a lawsuit brought by two Oregon-based timber groups. The suit, filed by the Douglas Timber Operators and American Forest Resources Council, challenged federal rules requiring protection of wildlife on 24 million acres of public land controlled by the U.S. Forest Service and Bureau of Land Management. (Daly 2002)

James Johnston, executive director of the Cascadia Wildlands Project in Eugene, Oregon accuses the Bush administration of attempting to weaken environmental laws: "What they are trying to do is make an end-around the environmental requirements of the Northwest Forest Plan and make it easier to log old-growth trees," (Greenwire 2002).

Dr William Wallace Covington describes our forests as a "liability rather than an asset to present and future generations". He reminds us that it is about more than the a 40-acre stand of the WUI around a town, "it's about greater ecosystems that have become so degraded and fragile that they are no longer sustainable." The underlying causes of the symptoms need to be addressed and solutions need to be found that reduce conflict through an adaptive management framework. The solutions need to be "tested and redefined in a learning-while-doing mode." It takes centuries and millennia to repair ecosystems while a home can be rebuilt in a matter of months.

David Calahan, a 30-year veteran of Oregon's forest fires, has first hand knowledge of fires. He directly refutes the propaganda of President Bush: "We cannot log ourselves out of this problem." The President includes examples from Oregon's

Squire's Fire displaying the effects of a forest that was overgrown and "extremely susceptible to fire." Calahan points out there were many factors at work to create the mosaic burn pattern that the president failed to mention. Calahan's testimony contains information about the area surrounding the photo op. The area shown in the photographs is above private land logged by Boise Cascade. Four years earlier Boise's had stripped 200 acres of its timber, leaving behind landscape of highly flammable logging slash and small conifer trees.

Dr. Covington gave a list of possible treatments. The treatments included: retain trees which predate settlement, retain post-settlement trees needed to re-establish pre-settlement structure, thin and remove excess trees, rake heavy fuels from base of trees, burn to emulate natural disturbance regime, seed with natives/control exotics.

Environmental organizations have added to the debate. The prominent and controversial Earth First! warns: "even more frightening than the actual fires, however, is President Bush's proposal on how to prevent them" (Earth First! 2002). While Earth First! advocates a completely hands off approach, other groups, such as the Sierra Club, focus on thinning the WUI, while allowing natural and prescribed burns to restore the backcountry to its natural state.

The other side of the issue has the support from CEO's and scientists, not to mention that of President Bush. Backed by the President's authority, Ann Veneman, Secretary of Agriculture and Gail Norton, Secretary of Interior, describe the HFI as a plan calling for active forest management focusing on hazardous fuels reduction both in the wildland-urban interface and across the broader landscape. Their description of active forest management includes: thinning trees from over-dense stands that produce commercial or pre-commercial products, biomass removal and utilization, and prescribed fire and other fuels reduction tools (Veneman and Norton 2002).

In a study cited by President Bush in the HFI, Philip N. Omi and Erik J. Martinson (2000) of Colorado State University produced results providing unanimous support for the assertion that fuel treatments reduce the local severity of extreme wildfire events. Dan Owens, of Georgia Pacific Corp. describes Presidents Bush's initiative as a "common-sense approach that seeks to restore the health of our forests while reducing the fire risk through active forest management."

Expedited Appeals Process- NEPA

The National Environmental Policy Act (NEPA) was passed in 1969. NEPA's specified purpose is, "to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man." NEPA is only applicable to projects that receive federal funding. This includes the actions of the United States Department of Agriculture, Department of Transportation, Environmental Protection Agency, and the Forest Service.

Under NEPA, a timber company that wants to cut on federally controlled land is required to conduct a series of Environmental Assessments and Environmental Impact Statements. Within the NEPA process is the creation of a forum for the public to comment and challenge the given proposal. This process has facilitated discussion and thorough evaluation of sustainable forest technique and management for 30 years. However, NEPA is in danger of being radically changed through the introduced bills.

H.R. 5319 "The Healthy Forests Reforms Act of 2002" and H.R. 5309, "The Wildfire Prevention and Forest Health Protection Act of 2002" seek to alter the processes that precede any federally funded timberwork. H.R. 5319 would allow agencies to expedite environmental analyses: "The legislation mandates that shortened studies, [considering only one alternative], can be completed for projects in high-priority areas in fire-prone forests, including: wildland/urban interface (WUI), near municipal

watersheds, in endangered and threatened species habitat, and in forests where trees have been felled by storms or insects,” (Stempeck 2002). However, HR 5319 would continue to require a full public comment period.

Congressman John Shadegg (R-AZ) commented on another forest bill, H.R. 5309, in testimony before the House Resources Committee on September 5, 2002, arguing that it “embodies greater flexibility because it is not project specific: it can be applied to projects in any Forest Service region which meet the science-based criteria and can withstand the oversight. But qualifies as acceptable science-based criteria? Perhaps most importantly, it treats all areas of the country equally instead of decreeing that certain areas are more equal than others.”

Others disagree, stating that exempting the specific areas mentioned in H.R. 5319 from NEPA regulations and implying that all zones require the same forest management techniques ignores patch dynamics and the natural heterogeneity of a forest ecosystem (Picket and White 1985). Bypassing thorough analysis will not be successful for long-term fire management. Therefore, a nation-wide thinning policy would do more harm than good. “Fire protection can be done much more efficiently and much less expensively on a local level, and nearly all conservationists and forest scientists agree the most effective way to protect communities is to focus protection efforts near homes instead of deep in the forest” (Earth First!). Others are more concerned that forest health will suffer if local plans do not consider the effects upon the forest as a whole: “Long-term solutions need to consider the entire forest ecosystem, not focus on 40-acre plots. These ecosystems encompass an area on a scale of 100,000 to 1,000,000 acres” (Covington 2002).

In a 1997 study titled, *Considering Cumulative Effects Under the National Environmental Policy Act*, The Council of Environmental Quality said: “If the boundaries

are defined too broadly, the analysis becomes unwieldy: if they are defined too narrowly, significant issues may be missed and decision makers will be incompletely informed about the consequences of their actions.” Therefore, a proper balance between viewing forests as a national problem and as only a local one needs to be found. It is obvious that a single fire management plan for the entire country will neglect crucial ecological differences and potentially alienate citizens concerned with a specific area.

Citizen participation in forest policy has always been fraught with difficulty. “Most environmental regulations are implemented in a way that assumes development activities are benign, until proven otherwise. This policy places the burden of proof on stakeholders who seek to protect public good or public values” (Andelman and Possingham 2002). Therefore, challenging a logging operation has predominately been done by environmental groups with the resources to pursue a potentially long-term trial.

The Bush Administration and conservatives in Congress argue that environmental groups do not represent a majority of citizens and therefore it is reasonable to reduce the opportunity for public participation from forest management. Arizona Congressman (R), John Shadegg said: “Laws such as the National Environmental Policy Act and the Endangered Species Act were written to allow citizens to use the court system to ensure that federal agencies were making responsible land and resource management decisions. However, they have been seized upon by radical groups and individuals as means to bring activities which are legal and legitimate to a standstill under the guise of environmental protection.” The Bush Administration also has a predicament with the ability of environmentalists to think in ‘3D’, namely by raising multiple concerns brought by a single logging operation: “The complexity of the protests has grown as well. While earlier protests might raise three or four issues, current protests often raise 20 or more issues” (HFI).

The HFI specifically notes that everyone will have a say in policy: "All contribute to the process that will determine how the passing and implementation of these bills could reshape the environmental policy process" (HFI). However, in a guest opinion article to the Billings Gazette, Joe Gutkoski, a retired smoke jumper with thirty five year experience in the Forest Service wrote: "The "Healthy Forest Initiative" strips away citizens' right of appeal to insure that basic conservation laws are heeded on our public lands. The president's plan focuses on groundless complaints about red tape and assigns blame where it isn't due, essentially locking the public out of forest decision making and handing the keys to industry" (Billings Gazette 2002).

The primary criticism of NEPA among the supporters of the HFI is the time that it takes to produce an assessment of the area. An Environmental Impact Statement (EIS) takes time to thoroughly cover an area: "Additional analysis is frequently conducted in anticipation of administrative appeals and litigation" (HFI). Congressional leaders and the President want a more efficient process, but to do this many of the key steps to understanding the effects logging will be removed, as well as the public's right to question the sale of timber legally belonging to them.

The HFI claims that between January of 2001 and July of 2002, 48 percent of all Forest Service mechanical fuels reduction projects were appealed. In northern Idaho and Montana, 100 percent of mechanical fuels reduction projects were appealed. President Bush noted: "The forest policy of our government is misguided policy." Decrying "endless litigation," Bush said he wants to limit the "red tape" surrounding management of national forests: "We'll make sure that people have their voice, but aren't able to tie it all up" (CNN.com 2002).

However, a report from the General Accounting Office (GAO) found in July that only 20 of 1,671 Forest Service fuel-reduction projects were appealed and none ended

in litigation in the courtroom. Todd Schulke, the forest policy director for the Center for Biological Diversity, also refutes Bush's conclusion. In a testimony before the House Resources Committee on September 5, 2002, he states that an analysis of current projects reviewed under NEPA in Region 3 showed a total of 244 thinning, burning, and logging projects. Of these 244 projects, 10 (less than 3%) are currently either being challenged or under consideration for challenge (pending alternative chosen in decision). Schulke (2002) stresses that, of these ten projects, all include practices of destructive salvage logging, logging of mature and old growth trees, and/or drastic overstory removal. Most frequently, appeals do not change the underlying decision: "Approximately one in ten Forest Service projects are overturned on appeal. Nevertheless, decision-makers must frequently prepare projects with appeals in mind, adding significant time and cost without improving the quality of the decision" (HFI).

NEPA needs to remain a central part of the process of forest environmental issues and is critical to future sustainability. It is the mechanism by which the public gets to participate in decisions and if it is abandoned, the timber industry will have free reign over forests. It is also what ensures that ecological considerations will have an effect before logging. Perhaps forest management needs to shift from the current paradigm of management for commodity to ecological sustainability (Doily et al 1999). On a broader scale if the Bush Administration is successful in rolling back the statutes of NEPA within forest policy it is possible that this will set a precedent of economic interests continue to be placed over environmental concerns for other environmental regulations. The lifespan of the Environmental Impact Statement may be in danger as public participation and an open forum of government are erased.

"In contrast to the human-made unnatural disasters that should be prevented but are not, considerable effort is spent trying to stop natural disturbances that are actually

beneficial. The result is disasters of unnatural proportions” (Abramovitz 2001). Future generations may be forced to devote much time to fixing what we have done in our attempts control the natural processes of nature. The current dilemma caused by the state of our forests should be remembered for the display of human mismanagement.

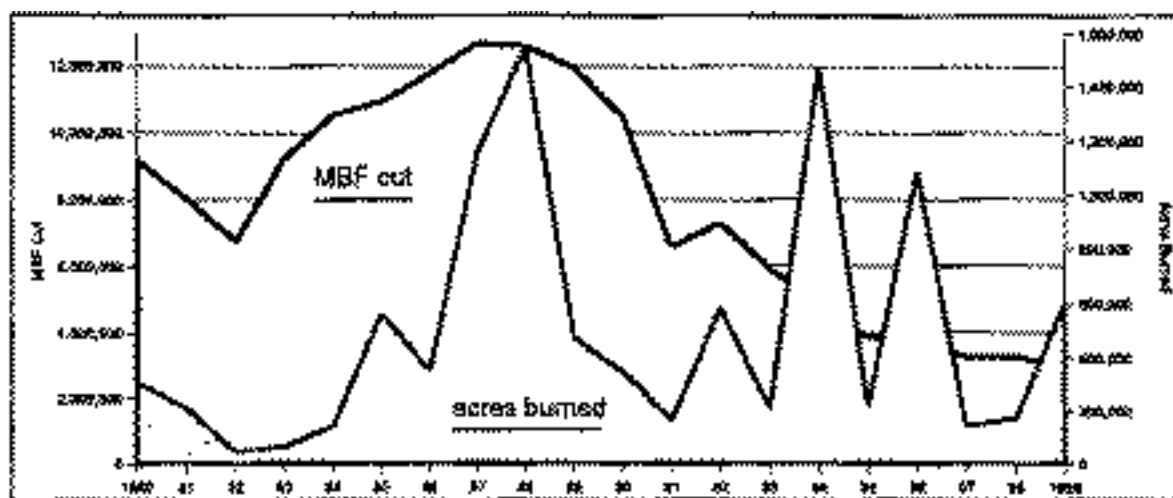
Conclusion

The Healthy Forest Initiative is a biased attempt to solve the current forest fire situation. It is based on unsound science. It is placing control of the forests in the hands of a few. It will stifle the public voice. The National Forests need to be treated respectfully with consideration to ecological sustainability. The National Forests are public domain. We as citizens should have the opportunity to influence how our natural areas are used.

Through the Healthy Forest Initiative the future approach Bush Administration’s to environmental policy can be witnessed. Their emphasis of economic interests over environmental concerns, biased use of science, and attempts to eliminate the public voice from the decision making process have the potential to adversely effect not only forest sustainability but public involvement within environmental issues as well as governmental administration.

Appendix

Forest Service Acres Burned in Relation to Millions of Board Feet Cut



A correlation analysis, relating acres burned to timber harvest volume, was performed to test part of this hypothesis — that the extent of forest fires is related to the quantity of timber harvested. The coefficient of determination (r^2) is the most frequently used statistic to assess the correlation, between two variables; an r^2 of 1.00 indicates an absolutely perfect correlation, while an r^2 of 0.00 indicates a perfectly random relationship. The coefficient of correlation (r) is also used sometimes, since it indicates the direction of the correlation (positively or negatively related) as well. The coefficients of determination and of correlation were calculated for 1980-1999, 1960-1999, and 1987-1999.¹ The results are shown in table 2. The coefficients of determination (r^2) are quite low, with the highest being an r^2 of 0.1362 for 1987-1999. The analysis finds that, for this period, less than 14% of the variation in acres burned is related to the variation in harvests; for other periods, the relationship is even weaker. The coefficients of correlation are also low. More surprising is that they are positive for 1980-1999 and 1987-1999, indicating fewer acres burned in association with lower timber harvests, contrary to the hypothesis. (CRS)

Section of National Environmental Policy Act

In paragraph C of Section 102 [42 USC § 4332] states,

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on --

(i) the environmental impact of the proposed action,

- (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Written in Paragraph E of the same section: (E) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

Current Status

On October 8th, the House Resources Committee approved the fire logging bill, H.R. 5319

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